

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3605 OF 2007

Office Notes, Office
Memoranda of Coram,
appearance, Court's
orders or directions
and Registrar's orders

Court's or Judge's
orders

Mr. P.R. Arjunwadkar for petitioner.

CORAM: B.H. MARLAPALLE, J.

04/05/2007.

P.C.:

. RCS No. 843 of 1999 was decreed by the learned Joint Civil Judge, J.D., Solapur by judgment and order dated 31/03/2003. Being aggrieved by the said decree, the defendants filed Appeal No. 148 of 2003 before the District Court at Solapur. The said Appeal was allowed by the lower Appellate Court vide its judgment and order dated 14/11/2006.

. The petitioner, therefore, has a statutory remedy of filing a Civil Revision Application under Section 115 of C.P.C. and as held by me in Writ Petition No. 4138 of 2006 vide the order dated 24/8/2006, when such

a statutory remedy is available, a Writ Petition under Article 227 of the Constitution need not be entertained.

. Hence, the Writ Petition is disposed as such with liberty to the petitioner to file a Civil Revision Application and if such an application is filed within a period of four weeks from today, the period of pendency of this petition will be taken into consideration for condonation of delay, if any. Annexures be returned, if applied for.

(B.H. Marlapalle, J.)